



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 613

Department of the Environment - Waivers for Living Shorelines and Nonstructural Shoreline Stabilization Measures - Regulations and Scoring System

Position: Support with Amendments
Committee: Education, Energy, and the Environment
Date: March 31, 2026
From: Alex Butler, Deputy Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS** HB 613 **WITH AMENDMENTS**.

Bill Summary

House Bill 613 as amended would: (1) institute new definitions for “Living Shoreline” and “Nonstructural Shoreline Stabilization Measure;” (2) eliminate automatic waivers for unmapped areas; (3) require MDE to complete site visits for all waiver requests; (4) provide Soil Conservation Districts the ability to provide comments on applications; (5) require MDE to establish a scoring system for waiver requests; and (6) require MDE to work with stakeholders on further changes to the waiver process and report to the General Assembly.

Position Rationale

MDE supports the overall goals of HB 613 but is requesting additional clarifying amendments to resolve implementation hurdles while preserving the spirit of the bill.

The bill’s new definition of “Living Shoreline” and “Nonstructural Shoreline Stabilization Measure” conflicts with MDE regulations in COMAR 26.24.01 and the Maryland Board of Public Works (BPW) regulations in COMAR 23.02.04, leading to regulatory uncertainty and the need for regulation updates by MDE and BPW to align with requirements. Additionally, defining nonstructural shoreline stabilization measures differently from living shorelines creates competing and conflicting criteria. The dual standard may effectively force applicants who do not qualify for a living shoreline waiver to navigate two parallel sets of rules and create confusion and regulatory uncertainty.

MDE recommends amending the bill's definitions to ensure they are scientifically accurate and practically enforceable, while also utilizing terms already well established. As currently written, the term 'low profile' would unintentionally exclude proven resilience strategies, like headland breakwaters, that must extend above the Mean High Water line. Additionally, the phrase 'substantial biological component' is not clearly understood, and 'lacustrine fringe wetlands' is scientifically inaccurate for tidal systems, as it applies only to freshwater lakes. Revising these definitions would allow MDE to implement the bill effectively using appropriate, site-specific engineering.

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The bill also requires the opportunity for the local Soil Conservation District to provide recommendations on waiver requests received by MDE, but lacks timeframes for this recommendation to be provided for MDE's consideration. Existing regulations (COMAR 26.24.02.02 (D)) require MDE to issue notice of an incomplete application by Day 45 or the application is deemed complete and a decision must be issued. Without a required timeframe for local SCD recommendations, MDE may struggle to meet regulatory review deadlines, leading to permit delays for applicants. To improve the operational efficiency of the waiver process, MDE recommends that the bill be amended to specify a required response timeframe of 15 days for local SCD's to submit recommendations on waiver requests to MDE and avoid delays to the review and approval process.

Accordingly, MDE respectfully requests the Committee issue a **FAVORABLE WITH AMENDMENTS** report for HB 613.

SENATE BILL 368

M1, M3

6lr1568
CF 6lr1569

By: **Senators Bailey and Harris**

Introduced and read first time: January 27, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert and St. Mary's Counties –**
3 **Department of the Environment – Waivers**
4 **for Living Shorelines and Nonstructural**
5 **Shoreline Stabilization Measures – Regulations and Scoring System**

6 FOR the purpose of ~~establishing requirements for the use of~~
7 ~~authorizing a person to use living shorelines and~~
8 ~~nonstructural stabilization measures in Calvert County and St. Mary's County;~~
9 ~~exempting property located in Calvert County and St. Mary's County from certain~~
10 ~~general requirements regarding the use of nonstructural shoreline stabilization~~
11 ~~measures as a certain erosion control measure; requiring that certain~~
12 ~~regulations adopted by the Department of the Environment require the~~
13 ~~Department to take certain action during the evaluation of a certain waiver~~
14 ~~request under certain circumstances; requiring the Department to develop~~
15 ~~a certain scoring system; and generally relating to shoreline~~
16 ~~erosion and stabilization.~~

17 BY repealing and reenacting, with amendments,
18 Article – Environment
19 Section 16–201
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2025 Supplement)

22 BY repealing
23 Article – Natural Resources
24 Section 8–1808.11
25 Annotated Code of Maryland
26 (2023 Replacement Volume and 2025 Supplement)

27 BY adding to
28 Article – Natural Resources
29 Section 8–1808.11
30 Annotated Code of Maryland
31 (2023 Replacement Volume and 2025 Supplement)

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
33 That the Laws of Maryland read as follows:

34 **Article – Environment**

1 16-201.

2 (a) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(2) (i) "LIVING SHORELINE" MEANS A PROJECT TO MITIGATE THE EFFECTS OF EROSION CAUSED BY SHORELINE FLOODING OR INUNDATION, CURRENTS, AND WAVE ENERGY THROUGH PROJECT DESIGN THAT:~~

~~1. STABILIZES A SHORELINE BY USING NATURAL MATERIALS TO CREATE BUFFERS TO ABSORB THE IMPACT OF COASTAL STORMS, FLOODING, AND WAVE ENERGY AND TO PREVENT OR MINIMIZE SHORELINE EROSION;~~

~~2. INCORPORATES AS MANY NATURAL ELEMENTS AS POSSIBLE TO ENSURE A SUBSTANTIAL BIOLOGICAL COMPONENT, SUCH AS NATIVE, TIDAL, OR LACUSTRINE FRINGE WETLANDS, OYSTER REEFS, SUBMERGED AQUATIC VEGETATION, OR NATIVE PLANTS;~~

~~3. UTILIZES TECHNIQUES THAT INCORPORATE ECOLOGICAL AND COASTAL ENGINEERING PRINCIPLES IN SHORELINE STABILIZATION; AND~~

~~4. TO THE EXTENT POSSIBLE, MAINTAINS OR RESTORES EXISTING NATURAL SLOPES AND CONNECTIONS BETWEEN UPLANDS AND ADJACENT WETLANDS OR SURFACE WATERS.~~

~~(ii) "LIVING SHORELINE" INCLUDES THE USE OF:~~

~~1. NATURAL ELEMENTS SUCH AS SAND, WETLAND PLANTS, WOODY DEBRIS, OYSTERS OR OTHER SHELLFISH, SUBMERGED AQUATIC VEGETATION, NATIVE GRASSES, SHRUBS, TREES, OR OTHER BIODEGRADABLE MATERIALS AS APPROVED BY THE DEPARTMENT; AND~~

~~2. LOW PROFILE STRUCTURAL ELEMENTS, SUCH AS STONE, CONCRETE, OYSTER DOMES, OR OTHER APPROVED ENGINEERED STRUCTURES.~~

~~(3) (i) "NONSTRUCTURAL NONSTRUCTURAL SHORELINE STABILIZATION MEASURE" MEANS AN EROSION CONTROL MEASURE THAT IS:~~

~~4 (i) 1. DOMINATED BY TIDAL WETLAND VEGETATION; AND~~

~~5 (ii) 2. DESIGNED TO PRESERVE THE NATURAL SHORELINE, 6 MINIMIZE EROSION, AND ESTABLISH AQUATIC HABITAT;~~

~~7 (2) (ii) "NONSTRUCTURAL SHORELINE STABILIZATION MEASURE" 8 INCLUDES MARSH OR OTHER TIDAL WETLAND CONSTRUCTION;~~

~~(2) "COASTAL ENGINEERING PRINCIPLES" MEAN THE APPLICATION OF CIVIL ENGINEERING, OCEANOGRAPHY, AND GEOLOGY TO MANAGE COASTAL SHORELINES TO:~~

~~(I) CONTROL EROSION;~~

~~(II) MANAGE WAVE ENERGY AND SEDIMENT TRANSPORT; AND~~

~~(III) SUPPORT COASTAL RESILIENCE UTILIZING SUSTAINABLE DESIGN.~~

~~(3) "COASTAL PROCESSES" MEANS THE NATURAL, DYNAMIC INTERACTION THAT SHAPES A SHORELINE AND IS DRIVEN BY WAVES, TIDE, AND WEATHER THROUGH HYDRAULIC ACTION, ABRASION, DEPOSITION, SOLUTION, AND TRANSPORTATION.~~

~~(4) "LIVING SHORELINE" MEANS A SHORELINE STABILIZATION PRACTICE THAT UTILIZES ECOLOGICAL AND COASTAL ENGINEERING PRINCIPLES TO MINIMIZE SHORE EROSION, SUPPORT COASTAL RESILIENCE, AND CREATE, MAINTAIN, OR ENHANCE HABITAT THROUGH A DESIGN THAT, TO THE EXTENT PRACTICABLE:~~

~~(i) MAINTAINS COASTAL PROCESSES;~~

~~(ii) MAINTAINS OR RESTORES THE TRANSITION BETWEEN THE LANDWARD BOUNDARY OF WETLANDS AND ADJACENT STATE OR PRIVATE WETLANDS;~~

(iii) INCORPORATES NATURAL ELEMENTS, INCLUDING:

- 1. SAND;**
- 2. NATIVE WETLAND VEGETATION;**
- 3. WOODY DEBRIS;**
- 4. OYSTERS OR OTHER SHELLFISH;**
- 5. SUBMERGED AQUATIC VEGETATION; OR**
- 6. OTHER BIODEGRADABLE MATERIALS, AS APPROVED BY THE DEPARTMENT; AND**

0. (iv) MAY INCLUDE STRUCTURAL ELEMENTS AT OR BELOW MEAN HIGH WATER LINE, AS NECESSARY, TO SUPPORT THE STABILITY AND FUNCTION OF THE NATURAL ELEMENTS.

0. "MEAN HIGH WATER LINE" MEANS THE LINE WHERE THE LAND MEETS THE WATER SURFACE AT THE ELEVATION OF MEAN HIGH WATER.

9 **(B) (1)** A person who is the owner of land bounding on navigable water is
10 entitled to any natural accretion to the person's land, to reclaim fast land lost by erosion or
11 avulsion during the person's ownership of the land to the extent of provable existing
12 boundaries.

13 **(2)** The person may make improvements into the water in front of the land
14 to preserve that person's access to the navigable water or, subject to ~~subsection (e) (D)~~
15 ~~SUBSECTIONS (D) AND (E) OF THIS SECTION~~, protect the shore of that person against
16 erosion.

17 **(3)** After an improvement has been constructed, the improvement is the
18 property of the owner of the land to which the improvement is attached.

19 **(4)** A right covered in this subtitle does not preclude the owner from
20 developing any other use approved by the Board.

21 **(5)** The right to reclaim lost fast land relates only to fast land lost after

22 January 1, 1972, and the burden of proof that the loss occurred after this date is on the
23 owner of the land.

24 **(b) (C)** The rights of any person, as defined in this subtitle, which existed prior
25 to July 1, 1973 in relation to natural accretion of land are deemed to have continued to be
26 in existence subsequent to July 1, 1973 to July 1, 1978.

27 ~~**(c) (1)**~~ ~~**(1)**~~ ~~**THIS SUBSECTION DOES NOT APPLY TO PROPERTY**~~
28 ~~**LOCATED IN:**~~

29 ~~**(i)**~~ ~~**CALVERT COUNTY; OR**~~

30 ~~**(ii)**~~ ~~**St. Mary's County APPLIES ONLY TO A SHORELINE STABILIZATION PROJECT**~~
~~**FOR WHICH ANY PORTION OF THE PROJECT IS IN AN AREA THAT IS NOT DESIGNATED AS APPROPRIATE FOR STRUCTURAL**~~
~~**SHORELINE STABILIZATION MEASURES BY DEPARTMENT MAPPING.**~~

1 [(1)] (2) Improvements to protect a person’s property against erosion
2 shall consist of A LIVING SHORELINE OR nonstructural shoreline stabilization measures that
3 preserve the natural
4 environment, such as marsh creation, except:

4 ~~(i) In areas designated by Department mapping as appropriate for
5 structural shoreline stabilization measures; and~~

6 (i) **In areas designated by Department mapping as appropriate for structural shoreline stabilization
7 measures; and**

8 ~~(ii) In~~ **In** areas where the person can demonstrate to the Department’s
9 satisfaction that such measures are not feasible, including areas of excessive erosion, areas
10 subject to heavy tides, and areas too narrow for effective use of nonstructural shoreline
11 stabilization measures.

12 [(2)] (3) (i) Subject to subparagraph (ii) of this paragraph, in
13 consultation with the Department of Natural Resources, the Department shall adopt
14 regulations to implement the provisions of this subsection.

15 (ii) Regulations adopted by the Department under subparagraph (i)
16 of this paragraph shall:

17 1. ~~include~~ **INCLUDE** a waiver process that exempts a person from the
18 requirements of paragraph [(1)] (2) of this subsection on a demonstration to the
19 Department’s satisfaction that A LIVING SHORELINE OR nonstructural shoreline stabilization
measures are not
feasible for the person’s property; **AND**

2. **REQUIRE THE DEPARTMENT, AS PART OF ITS EVALUATION OF WAIVER
REQUESTS, TO:**

A. **ON REQUEST OF THE PROPERTY OWNER, VISIT THE SITE OF THE
PROPOSED PROJECT WITHIN 45 DAYS AFTER THE DATE OF THE WAIVER REQUEST UNLESS OTHERWISE
AGREED; AND**

B. **PROVIDE THE LOCAL SOIL CONSERVATION DISTRICT WITH WRITTEN NOTICE OF THE WAIVER
REQUEST AND PROVIDE THE DISTRICT THE OPPORTUNITY TO MAKE RECOMMENDATIONS ON THE ACCEPTANCE OF OR
MODIFICATIONS TO THE WAIVER REQUEST. SUBMIT COMMENTS TO THE DEPARTMENT WITHIN 15 DAYS.**

C. **A LOCAL SOIL CONSERVATION DISTRICT MAY DECLINE IN WRITING TO
RECEIVE WRITTEN NOTICE OF THE WAIVER REQUESTS OR PARTICIPATE IN THE COMMENT
PROCESS.**

(E) (1) **THE DEPARTMENT SHALL DEVELOP A SCORING SYSTEM TO EVALUATE
WAIVER REQUESTS UNDER THIS SECTION.**

(2) **THE SCORING SYSTEM DEVELOPED UNDER PARAGRAPH (1) OF THIS
SUBSECTION SHALL INCLUDE:**

(i) **THE FACTORS THE DEPARTMENT WILL CONSIDER IN EVALUATING A
REQUEST;**

(ii) **THE RELATIVE WEIGHT OF EACH FACTOR; AND**

(iii) **THE MINIMUM SCORE THAT A PROJECT MUST RECEIVE TO
DEMONSTRATE TO THE DEPARTMENT’S SATISFACTION THAT A LIVING SHORELINE OR NONSTRUCTURAL
SHORELINE STABILIZATION MEASURE IS NOT FEASIBLE FOR THE PERSON’S PROPERTY.**

(3) **THE DEPARTMENT SHALL PUBLISH THE SCORING SYSTEM DEVELOPED UNDER THIS
SUBSECTION ON THE DEPARTMENT’S WEBSITE.**

(4) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO LIMIT THE DISCRETION OF THE DEPARTMENT TO GRANT A WAIVER TO A PROJECT THAT DOES NOT RECEIVE A MINIMUM SCORE.

20 ~~(e) (1) (i)~~ ~~IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE~~
21 ~~MEANINGS INDICATED:~~

22 (ii) ~~“HIGH-ENERGY ENVIRONMENT” MEANS AN AREA~~
23 ~~CHARACTERIZED BY AT LEAST TWO OF THE FOLLOWING CRITERIA:~~

24 1. ~~A FETCH OF GREATER THAN 2 MILES;~~

25 2. ~~A STEEP NEARSHORE SLOPE EXCEEDING 5%, WHERE~~
26 ~~WATER DEEPENS QUICKLY ALLOWING LARGE WAVES TO REACH THE SHORELINE~~
27 ~~WITHOUT MUCH DISSIPATION; AND~~

28 3. ~~GREATER THAN 2 FEET OF EROSION PER YEAR.~~

29 (iii) 1. ~~“LIVING SHORELINE” MEANS A PROJECT TO~~
30 ~~MITIGATE THE EFFECTS OF EROSION CAUSED BY SHORELINE FLOODING OR~~
31 ~~INUNDATION, CURRENTS, AND WAVE ENERGY THROUGH PROJECT DESIGN THAT:~~

32 A. ~~STABILIZES A SHORELINE BY USING NATURAL~~
33 ~~MATERIALS TO CREATE BUFFERS TO ABSORB THE IMPACT OF COASTAL STORMS,~~
34 ~~FLOODING, AND WAVE ENERGY AND TO PREVENT OR MINIMIZE SHORELINE~~
35 ~~EROSION;~~

1 ~~B. INCORPORATES AS MANY NATURAL ELEMENTS AS~~
2 ~~POSSIBLE, SUCH AS NATIVE WETLANDS, OYSTER REEFS, SUBMERGED AQUATIC~~
3 ~~VEGETATION, NATIVE GRASSES, SHRUBS, OR TREES;~~

4 ~~C. UTILIZES TECHNIQUES THAT INCORPORATE~~
5 ~~ECOLOGICAL AND COASTAL ENGINEERING PRINCIPLES IN SHORELINE~~
6 ~~STABILIZATION; AND~~

7 ~~D. TO THE EXTENT POSSIBLE, MAINTAINS OR RESTORES~~
8 ~~EXISTING NATURAL SLOPES AND CONNECTIONS BETWEEN UPLANDS AND ADJACENT~~
9 ~~WETLANDS OR SURFACE WATERS.~~

10 2. ~~“LIVING SHORELINE” INCLUDES THE USE OF:~~

11 ~~A. NATURAL ELEMENTS SUCH AS SAND, WETLAND~~
12 ~~PLANTS, LOGS, OYSTERS OR OTHER SHELLFISH, SUBMERGED AQUATIC~~
13 ~~VEGETATION, NATIVE GRASSES, SHRUBS, TREES, OR COIR FIBER LOGS; AND~~

14 ~~B. STRUCTURAL MATERIALS, SUCH AS STONE,~~
15 ~~CONCRETE, OYSTER DOMES, OR OTHER APPROVED ENGINEERED STRUCTURES.~~

16 (iv) ~~“MEDIUM ENERGY ENVIRONMENT” MEANS AN AREA~~
17 ~~CHARACTERIZED BY AT LEAST TWO OF THE FOLLOWING CRITERIA:~~

18 1. ~~A FETCH OF 0.5 MILES TO 2 MILES;~~

19 2. ~~A MODERATE NEARSHORE SLOPE OF 2% TO 5% WITH~~
20 ~~ENOUGH DEPTH FOR SMALL TO MODERATE WAVES TO PERSIST; AND~~

21 3. ~~FROM 0.5 FEET TO 2 FEET OF EROSION PER YEAR.~~

22 (2) ~~THIS SUBSECTION APPLIES ONLY TO PROPERTY LOCATED IN:~~

23 (i) ~~CALVERT COUNTY; OR~~

24 (ii) ~~ST. MARY’S COUNTY.~~

25 (3) ~~SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION,~~
26 ~~IMPROVEMENTS TO PROTECT A PERSON’S PROPERTY AGAINST EROSION SHALL~~
27 ~~CONSIST OF A LIVING SHORELINE OR NONSTRUCTURAL SHORELINE STABILIZATION~~
28 ~~MEASURES, EXCEPT IN AREAS WHERE THE PERSON CAN DEMONSTRATE TO THE~~
29 ~~LOCAL SOIL CONSERVATION DISTRICT’S SATISFACTION THAT THE PROJECTS AND~~
30 ~~MEASURES ARE NOT FEASIBLE, INCLUDING AREAS OF EXCESSIVE EROSION; AREAS~~

1. ~~SUBJECT TO HEAVY TIDES, AND AREAS TOO NARROW FOR EFFECTIVE USE OF A~~
2. ~~LIVING SHORELINE OR NONSTRUCTURAL SHORELINE STABILIZATION MEASURES.~~

3. ~~(4) A SOIL CONSERVATION DISTRICT MAY WAIVE OR REDUCE~~
4. ~~MITIGATION REQUIREMENTS FOR LIVING SHORELINES OR NONSTRUCTURAL~~
5. ~~SHORELINE STABILIZATION MEASURES IN MEDIUM AND HIGH ENERGY~~
6. ~~ENVIRONMENTS IF, TO THE SOIL CONSERVATION DISTRICT'S SATISFACTION, THE~~
7. ~~LAND-WATER INTERFACE IS MAINTAINED.~~

8. ~~(5) ONLY A SOIL CONSERVATION DISTRICT MAY IMPOSE~~
9. ~~RESTRICTIONS ON THE TIME OF YEAR WHEN A LIVING SHORELINE OR~~
10. ~~NONSTRUCTURAL SHORELINE STABILIZATION MEASURE MAY BE CONSTRUCTED IN~~
11. ~~CALVERT COUNTY OR ST. MARY'S COUNTY.~~

12. ~~(6) (i) THE CALVERT SOIL CONSERVATION DISTRICT AND THE ST.~~
13. ~~MARY'S SOIL CONSERVATION DISTRICT SHALL ADOPT REGULATIONS TO~~
14. ~~IMPLEMENT THE PROVISIONS OF THIS SUBSECTION.~~

15. ~~(ii) THE REGULATIONS SHALL:~~

16. ~~1. INCLUDE A WAIVER PROCESS THAT EXEMPTS A~~
17. ~~PERSON FROM THE REQUIREMENTS OF PARAGRAPH (3) OF THIS SUBSECTION ON A~~
18. ~~DEMONSTRATION TO THE SOIL CONSERVATION DISTRICT'S SATISFACTION THAT THE~~
19. ~~USE OF A LIVING SHORELINE OR NONSTRUCTURAL SHORELINE STABILIZATION~~
20. ~~MEASURES IS NOT FEASIBLE FOR THE PERSON'S PROPERTY; AND~~

21. ~~2. REQUIRE A LIVING SHORELINE OR NONSTRUCTURAL~~
22. ~~SHORELINE STABILIZATION MEASURE TO BE DESIGNED TO WITHSTAND AT LEAST A~~
23. ~~10-YEAR STORM EVENT.~~

24. ~~(7) (i) A PERSON MAY NOT BEGIN CONSTRUCTION OF A SHORELINE~~
25. ~~STABILIZATION PROJECT FOR WHICH THE CALVERT SOIL CONSERVATION~~
26. ~~DISTRICT HAS PROVIDED DESIGN SERVICES UNLESS THE ST. MARY'S SOIL~~
27. ~~CONSERVATION DISTRICT HAS REVIEWED THE PROJECT AND CERTIFIED THAT IT~~
28. ~~COMPLIES WITH THE REQUIREMENTS OF THIS SUBSECTION.~~

29. ~~(ii) A PERSON MAY NOT BEGIN CONSTRUCTION OF A SHORELINE~~
30. ~~STABILIZATION PROJECT FOR WHICH THE ST. MARY'S SOIL CONSERVATION~~
31. ~~DISTRICT HAS PROVIDED DESIGN SERVICES UNLESS THE CALVERT SOIL~~
32. ~~CONSERVATION DISTRICT HAS REVIEWED THE PROJECT AND CERTIFIED THAT IT~~
33. ~~COMPLIES WITH THE REQUIREMENTS OF THIS SUBSECTION.~~

34. Article - Natural Resources

1 [8-1808.11.

1. (a) Other than in areas designated by the Department of the Environment
2. mapping as appropriate for structural shoreline stabilization measures, improvements to
3. protect a person's property against erosion shall consist of nonstructural shoreline
4. stabilization measures that preserve the natural environment, such as marsh creation,
5. except in areas where the person can demonstrate to the satisfaction of the Department of
6. the Environment that these measures are not feasible, including areas of excessive erosion,
7. areas subject to heavy tides, and areas too narrow for effective use of nonstructural
8. shoreline stabilization measures.

9. (b) (1) In consultation with the Department, the Department of the
 10. Environment shall adopt regulations to implement the provisions of this subsection.

11. (2) The regulations shall include a waiver process that exempts a person
 12. from the requirements of subsection (a) of this section on a demonstration to the satisfaction
 13. of the Department of the Environment that nonstructural shoreline stabilization measures
 14. are not feasible for the person's property.]

15. 8-1808.11.

16. IMPROVEMENTS TO PROTECT A PERSON'S PROPERTY AGAINST EROSION
 17. SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF § 16-201 OF THE
 18. ENVIRONMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That:

1. (1) The Department of the Environment shall work with stakeholders on further alterations to evaluation of the waiver process under § 16-201 of the Environment Article.

○ In working with stakeholders as required under paragraph (1) of this subsection, the Department shall:

- discuss how to:
 - address the specific challenges with constructing shoreline stabilization projects living shoreline projects in medium- and high-energy environments; and
 - provide greater transparency and certainty to the waiver process; and
- review existing construction time-of-year restrictions and tidal wetland mitigation requirements associated with living shoreline projects.

2. On or before December July 1, 2026 2027, the Department shall report to the Senate Committee on Education, Energy, and the Environment and the House Environment and Transportation Committee, in accordance with § 2-1257 of the State Government Article, on the progress of the stakeholder engagement required under subsection (a) of this section.

19. SECTION 2, 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 21 October July 1, 2026.